

REMARKS

Claim 59-64, and 78-83 are pending the application. No Claims have been amended. Claim 83 has been canceled in favor of new claim 84. No new matter has been added by the amendments. No claims were allowed.

Rejection under 35 U.S.C. § 112**35 U.S.C. § 112, first paragraph**

Claim 83 was rejected under 35 U.S.C. § 112, first paragraph as failing to comply with the written description requirement. Claim 83 has been cancelled in favor of new claim 84, which includes the limitations of allowable claim 59 in a different statutorily compliant form.

35 U.S.C. § 112, second paragraph

Claim 83 was rejected under 35 U.S.C. § 112, second paragraph as being indefinite. Claim 83 has been cancelled in favor of new claim 84, which includes the limitations of allowable claim 59 in a different statutorily compliant form.

Applicants' Remarks in response to "Response to Arguments"

Applicants acknowledge the Examiner's careful review of the application and claims. In paragraph 8, on page 7 of the Final office action it is noted that Applicants have not claimed what is being relied upon in the arguments for patentability. Specifically, the phrase "not transacting with each other" was stated as not being recited in the rejected claims. Applicants respectfully refer the Examiner to the claims as previously submitted on September 4, 2009. These claims do include the quoted language. Accordingly, Applicants continue to submit that the claims are allowable as amended, and for reference purposes, restate the arguments in response to the previous 35 U.S.C. § 103(a) rejection below.

Rejection under 35 U.S.C. § 103

Claims 59-64, and 78-83 were rejected under 35 U.S.C. § 103(a), as being unpatentable over Grant et al. (U.S. Patent 4,694,397, hereinafter "Grant"). Claim 83 has been canceled in favor of new claim 84. Applicants respectfully submit that the

invention of claims 59-64, and 78-82, and 84 would not have been obvious to one of ordinary skill in the art in view of the cited references.

Grant discloses a specific interface (see elements 32 and 38 of Figure 1 for example) between a banking computer system and a brokerage computer system. Grant was published in 1987, before online banking became ubiquitous. The Abstract states:

Apparatus is provided for interfacing a banking system and a brokerage system having a number of brokerage offices. Clients having both a brokerage and a banking account transact both brokerage and banking activities from the brokerage office. Automatic transaction processing within and between the banking and brokerage systems is created in response to a client transaction activity originated at a brokerage office.
(Emphasis added)

Grant is confined to describing a specially designed interface system that allows a brokerage employee to conduct transactions on behalf of a customer (interface 38). One interface 32 is required between the communication link 36 and the brokerage computer system 14. Another interface 38 is required between the communications link 36 and the banking computer system 24. Column 3, line 59-column 4, line 5 and Figure 2 describe the operation of the Grant system. All transactions are conducted on the brokerage computer system 14 by “brokerage operations personnel or brokerage salesperson through a pre-established sign-on procedure...” Grant describes a system that would be considered relatively primitive in comparison with the claimed invention. In order for the brokerage and the bank to communicate and conduct transactions, the specific interface 32 and 38 must first be in place. In order for a customer to take advantage of the brokerage/banking setup, the customer must be recognized beforehand as having “dual status”.

Briefly, the banking/brokerage interface system recognizes at the start of either a banking or brokerage activity initiated from a brokerage terminal 18, 18 [sic] whether a customer has a dual status. The status information is transmitted to the banking/brokerage interface portion designated generally at 32 from the brokerage system 12 via a data bus designated generally at 34. The interface 32 initiates a connection to and provides the

appropriate supervisory signals for the data communications link designated generally at 36 to access the banking/brokerage interface designated generally at 38 at the banking system location. The interface 38 in turn communicates with the banking computer system via a data bus designated generally at 40 to complete the data information path between the banking system 22 and the brokerage system 12.

(Column 3, lines 16-31).

Further, Grant requires a cumbersome process to properly reconcile financial transactions involving the bank that are conducted from the brokerage. For example:

In general, brokerage systems do not maintain sufficient previous pricing information and historical data to properly reverse all actions taken to recalculate the available funds in the account. Therefore, it is necessary to manually retrieve [sic] the appropriate previous pricing information and historical data in order to calculate the available funds in the account.

(Column 5, lines 5-12).

Grant clearly fails to teach or suggest a method as claimed, including at least the underlined elements below:

A method comprising:

a processor-based financial management system receiving identification and access information for a plurality of financial accounts from an account holder, wherein the identification information is entered by the account holder in a client computer and transmitted to the financial management system via a publicly available communications network according to standard protocols accessible to any user of the publicly available network, wherein the financial management system is coupled to a plurality of financial institutions via the publicly available network, and wherein identification and access information comprises account information, one or more online banking login names, and one or more passwords;

the financial management system identifying a first account balance associated with a first account of the plurality of financial accounts;

the financial management system further identifying a second account balance associated with a second account of the plurality of financial accounts, wherein the first account and the second account are associated with one or more of the plurality of financial institutions;

obtaining account information from the first and second accounts using the identification and access information provided by the account holder, wherein obtaining comprises the financial management system accessing each of the associated financial institutions separately via the publicly available network;

the financial management system comparing the first account balance to a particular value;

if the first account balance exceeds the particular value, the financial management system recommending a transfer of funds from the first account to the second account, wherein the first account and the second account have a common account holder, and wherein the recommendation to transfer funds identifies an amount to be transferred equal to the value by which the first account balance exceeds the particular value, wherein recommending comprises generating a report for the account holder;

if the first account balance is below the particular value, the financial management system recommending a transfer of funds from the second account to the first account, wherein recommending comprises generating a report for the account holder that is viewable on a computer via the publicly available network; and

the financial management system automatically executing one or more financial transactions on behalf of the account holder, comprising transferring funds to implement the recommendation, wherein the one or more financial transactions involves one or more of the plurality of the financial institutions transacting with the financial management system.

(Amended claim 59, emphasis added)

Applicants respectfully submit that the dedicated interfaces and communication link of Grant would not allow for, or suggest, the claimed method of receiving login information from an account holder for accounts at different institutions and automatically accessing those different institutions automatically on behalf of the user using the login information. Grant requires the dedicated interfaces between a brokerage and a bank, and a particular pre-arranged protocol. Further any transactions must be manually performed by employees. In contrast, the invention of claim 59 includes automatically executing one or more financial transactions on behalf of the account holder, comprising transferring funds to implement the recommendation, wherein the one or more financial transactions involves one or more of the plurality of the financial institutions transacting with the financial management system and not transacting with each other.

At the time Grant was filed, there was no facility for a third party or intermediary financial management system to access multiple financial institutions on behalf of an account holder using identification and access information received from the account holder. At that time there was also no facility for a financial management system to transact on behalf of an account holder where two financial institutions, each a party to the transaction, do not communicate with each other, but only with the financial management system. For these reasons, Applicants respectfully submit that the current ubiquity of public networks does not supply the deficiencies of Grant such that the present invention would have been obvious to one of ordinary skill. The combination of Grant with the Internet, for example, does not result in the claimed invention, as explained above.

Therefore Applicants respectfully submit that the invention of claim 59 would not have been obvious in view of Grant and the Official notice. The dependent claims include further limitations on claim 59, and are therefore also allowable over the cited art. Claim 83 includes limitations similar to the ones distinguished from the prior art with reference to claim 59. Therefore Applicants submit that claims 59, 83, and dependent claims, which include further limitations, are allowable over the cited art.

CONCLUSION


Applicants respectfully submit that the request to show support for the claim amendments has been complied with. The Examiner is respectfully encouraged to telephone the undersigned if a discussion may expedite the examination process.

AUTHORIZATION TO CHARGE DEPOSIT ACCOUNT

Please charge deposit account 503616 for any fees due and not already paid herewith.

Respectfully submitted,
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